

dispositive motion. Osborne did not address the tardiness of his response in his motion or seek leave to file a late response. Consequently, Osborne's motion does not set forth an appropriate basis for filing his response. Compliance with the rules which dictate the time within which to file a response to pending motions is an important aspect of the court's management of its docket. The rules require that Osborne establish "excusable neglect" for his failure to timely file a response in order to obtain leave to file a late response. F.R.Civ.P. 6(b)(2).

Because he has not requested or obtained leave, I direct the clerk of the court to strike the response (docket entry # 52). The motion to exceed the page limit is similarly DENIED, subject to reurging with appropriate argument and authorities. Osborne is directed to file a motion for leave to enlarge the time to file his response which addresses the excusable neglect standard of F.R. Civ.P. 6(b)(2) no later than May 22, 2008. If Osborne does not file his motion to enlarge by May 22, 2008, I will resolve the defendants' motion for summary judgment without a response.

SIGNED on May 15, 2008.

A handwritten signature in cursive script, reading "Nancy Stein Nowak", is written over a horizontal line.

NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE